GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Home Department - Disciplinary action against Sri S.Venkateswarlu, (f) HC-169, 2nd Bn, APSP, Kurnool (now retired) - Charges held Proved – to impose the penalty of 'withholding of 5% pension for a period of two years, besides treating the suspension period from 03.01.2020 to 15.07.2020 as 'Not on Duty', - Orders - Issued.

HOME (SERVICES.II) DEPARTMENT

G.O.RT.No. 1208 **Dated: 26-11-2024**

Read the following:-

Ref: 1) From the Director General of Police, AP, Mangalagiri, Letter Rc. No.288/T3/2021, dt: 17.03.2021.
2) Govt. Memo. No.1399259/Ser-II/A2/2021, Home (Ser.II) Dept., dated 21.05.2021.
3) From the Hon'ble High Court of A.P., Amaravathi order dated:31.01.2022 in WP.No.3512/2022 filed by Sri S. Venkateswaralu, HC-169 (Retd.), 2nd Bn, APSP, Kurnool.
4) From the Director General of Police, AP, Mangalagiri, Letter Rc. No.288/T3/2021, dt: 16.06.2022.
5) Govt. Memo. No.1399259/Ser-II/A2/2021, Home (Ser.II) Dept., dated.17.08.2022.
6) Govt., Memo No.1399259 /Ser.II/A2/2021, dated.30.11.2023.
7)From the DGP, A.P., Lr.Rc.No.288/T3/2021, dated.06.03.2024.

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In the letter 1st read above, the Director General of Police, A.P., in his letter dated 17.03.2021 has stated that, Dy. Inspector General of Police-111, APSP Bns., Kurnool has informed that Sri S.Venkataswarlu, HC-169 of 2nd Bn., APSP, Kurnool was handed upon with a Major Charge under Rule-20 of the A.P.C.S (CCA) Rules, 1991, vide Memorandum of Charge dated:23-02-2020 for the following delinquency:-

Charge: **Article-I**- Submitted that, Sri S.Venkateswarlu, HC-I69 while performing duties in 2nd Bn APSP, Kurnool he exhibited gross dereliction of duties and reprehensible conduct that, Smt B. Jaya Lakshmamma W/o Sri B.Naga Seshaiah, 14C-703 of 2nd Bn. APSP, Kurnool and Sri B. Jeevana Prasad her husband's brothers son who took Rs.5 Lakhs with Rs. 2/- as interest per month being loan from Smt. S. Venkateswaramma W/o S. Venkateswarlu, HC-169 duly mortgaging the original documents of Smt. B.JayaLakshmamma relating Plot No.228 and 229 of 57 ward Radha Krishna Nagar, Kallur Mandal, Kurnool on 21-07-2010 and paid interest regularly every month, When they asked Sri S.Venkateswarlu, HC-169 to inform the balance interest if any along with principal amount of Rs.5 lakhs to facilitate them to clear the loan amount/ interest and to obtain the original documents of said plot, but surprisingly without informing anything about the outstanding loan

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amount include interest if any, where he acted on behalf of his wife Smt. S Venkateswaramma and thereby arranged issuance of notice through lawyer for payment of Total Rs.15.80.000/- towards mortgage of the property so that the original documents would be returned, resulting in he involved in lending of Monty contrary to rules and violated conduct rules, which exhibits his gross reprehensible conduct and relentless behavior in harassing the women and cheated to acquire her property with mollified intention. Thus, it is a deep rooted conspiracy and evil though to grab the property of his own colleague worth of Rs.50/- Lakhs, which is highly reprehensible.

Article-II : Sri S.Venkateswarlu, while performing duties of HC-169 in 2nd Bn., APSP, Kurnool, being a Government Servant he violated Rules 8 of APCS [Conduct] Rules, 1964 and involved in lending of money through his wife Smt. S. Venkateswaramma and himself and her wife deeply involved in lending of money through his wife Smt. S.Venkateswaramma and himself and her wife deeply involved in money dealing and harassed Smt. B.JayaLakshmamma W/o Sri Naga Seshaiah, HC-703 who happened to be his colleague family and cheated them. By the above acts he exhibited lack of integrity and unbecoming of a Government Servant thereby violated Rule 8 of APCS [Conduct Rules, 1964].

Article-III: Sri S.Venkateswarlu, HC-169 while performing duties in 2nd Bn. APSP, Kurnool being a Government Servant he violated Rules 9 of APCS [Conduct] Rules, 1964 that he has mortgage plot No.228 and 229 ward No.57 Radha Krishna Nagar, Kallur Mandalam, Kurnool [District] in the name of his wife Smt. S. Venkateswaramma in the register Office, Kurnool on 21-07-2010, which property belongs to Smt. B. Jaya Lakshmamma w/o Sri B.Naga Seshaiah, HC-703 of 2ndBn APSP, Kurnool but he has not submitted movable and immovable property return statements duly indicating the transaction made during the year ending 31-12-2010 as informed by the commandant, 2ndBn APSP Kurnool which is highly reprehensible. By the above acts he exhibited lack of integrity and unbecoming of a Government Servant thereby violated Rule 9 of APCS [Conduct Rules, 1964].

2. The Assistant Commandant, 2ndBn APSP, Kurnool who was appointed as Enquiry Officer, conducted the enquiry and submitted his findings and held the Charge **"Proved'**, on 07-10-2020.The Addl. Commandant, 2nd Bn. APSP, Kurnool who was appointed as Enquiry Officer, conducted the enquiry and submitted his findings and held the Charge **"Proved",** on 05.01.2022.

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3. The Director General of Police, Andhra Pradesh in the letter 4th read above has stated that the DIG.III, A.P.S.P. Bn., vide his Proceedings dated:23.07.2021 has disposed the OEPR duly imposing the Penalty of 'RTSP by two stages with cumulative effect besides treating the suspension period as 'Not on duty' by that time of issuing of proceedings the above HC after his retirement from service, as he was retired from service on 31.05.2021 on attaining the age of superannuation.

4. Aggrieved by the above orders, the above Retired HC has filed WP No.3512/2022 in the Hon'ble High Court of Andhra Pradesh alleging that the DIG-III has passed the final orders wherein he is not competent to pass such an order after his (HC-169) retirement. He has also stated that the penalty imposed is also non-est in the eye of law as he has already retired and now reduction of pay 2 stages cannot be imposed. Hence, the order of penalty has to be set aside.

5. Accordingly as per instructions from the Government vide memo 5th read above, the Disciplinary Authority i.e., Deputy Inspector General of Police-III , APSP Battalions, Kurnool has cancelled the penalty proceedings earlier imposed against Sri S.Venkateswarlu, (f) HC-169, 2nd Bn, APSP, Kurnool (now retired) since the Charged Officer retired from service and forwarded the proposal to the rules the Government through the Director General of Police, Andhra Pradesh who is competent authority to impose the penalties against the retired Government servants under Rule 9(2)(a) of A.P. Revised Pension Rules, 1980.

6. The Director General of Police, Andhra Pradesh has requested the Government to dispose the above OEPR and impose the penalty against the retired Head Constable, as per Rule 9(2) of A.P. Revised pension Rules 1980, since the Government is the competent authority to impose the penalty on the retired Government employees.

7. Government have examined the report of the Enquiry officer and accepted the findings of the Enquiry Officer and provisionally decided to impose 'withholding of 5% pension for a period of two years, besides treating the suspension period from 03.01.2020 to 15.07.2020 as 'Not on Duty' , against Sri S.Venkateswarlu, (f) HC-169, 2nd Bn, APSP, Kurnool (now retired) under rule 9(2) of A.P. Revised Pension Rules, 1980 for the charges held proved against him, since the charges against him held proved and issued Show Cause Notice to him, as to why the above punishment should not be imposed vide Memo dated: 30.11.2023.

8. Government, after careful examination of the entire issue, hereby impose the penalty of 'withholding of 5% pension for a period of two years, besides treating the suspension period from 03.01.2020 to 15.07.2020 as 'Not on Duty',' against the Charged Officer Sri S.Venkateswarlu, (f) HC-169, 2nd Bn, APSP, Kurnool (now retired) for the charges held proved against him under Rule 9(2) (a) of A.P. Revised Pension Rules, 1980.

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9. The Director General of Police, Andhra Pradesh is requested to take necessary further action in the matter accordingly. The records received through the letter 1st read above are returned herewith and receipt of the same should be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

KUMAR VISHWAJEET
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Director General of Police, Andhra Pradesh, Mangalagiri
(w.e - Records in original)
Copy to:
The individual concerned (through the D.G.P., A.P., Mangalagiri.
The Accountant General of Andhra Pradesh, Hyderabad.
The Director of Treasuries & Accounts, Nidhi Bhavan, Mangalagiri, Guntur District.
The OSD to Minister (Home).
The P.S. to Prl. Secretary to Govt.(Home)
SF/SC.

//Forwarded :: By Order//

SECTION OFFICER